Mrs. Johnson called the official meeting of the Hamilton County Board of Zoning Appeals - North District to order at 7:09 p.m.

Members Present:  Frank Habig, III, Kristin Johnson, Ron Hall, and Tim Clark.  Absent:  Gerald Kirby.  Also present:  Charles Kiphart, Director; Aaron Culp, Legal Counsel; and Linda Burdett, Secretary.

Declaration of Quorum:   Mrs. Johnson declared a quorum with four members present.

Guests:   See sign-in sheet.

Communications/Reports:   Nothing to present.

Approval of Minutes:   Mrs. Johnson identified the minutes of the May 22, 2019 meeting.  Could I have a motion please?

Mr. Habig made a motion to approve.

Mr. Hall seconded.

With no further comments or corrections… Mrs. Johnson called for the vote.  4 yes votes… 0 no votes.  The minutes are approved.

Old Business:   Nothing to present.

New Business:   Mrs. Johnson began with NBZA-S.U.-0009-06-2019 a Special Use amendment. This is concerning amending the recorded commitment (to allow no more than 15 horses as part of the NBZA-S.U.-0003-07-2014 approval) to now allow no more than 25 horses on the property. **Location:** 9905 East 286th Street, Atlanta, Indiana.  If you would like to come forward and state your name and address for the record, and tell us about your petition.

**Brandi Buckmaster Snodgrass, of 9905 East 286th Street in Atlanta, Indiana,** stated her name and address for the record.  I am here today to request a variance that would allow the amendment of the existing approved Special Use of 15 horses currently to increase to 25 horses on the property.  I am also requesting a variance that would allow for the 10 additional stalls required to house those extra horses.  I am requesting this variance because it will allow me to continue to provide the services required by customers.  The additional 10 horses account for the lesson horses that I need to provide these services.  I use them to teach weekly lessons to the public, summer camps for kids, and my inter-collegiate equestrian team.  The other 15 stalls are used for horses that are being boarded at the facility.  These boarded horses go to horse shows, take lessons, and participate in clinics.
When we purchased this property in January of this year, we were completely unaware of any recorded commitments. Unfortunately, our realtor, seller, and the title company failed to present us with any of this information even though they were fully aware of our intended use of this facility.

With the continued growth of Westfield, Carmel and Noblesville equine facilities are being forced further out into the country. Just over the past five years huge facilities have closed their doors. The facility that we rented before purchasing this farm is now for sale. It is located on Spring Mill Road just across from Grand Park.

We decided to move farther out of the city and suburban areas in search of a calmer environment for our horses. The few farms left in Carmel and Westfield house 50 plus horses on less than 10 acres. The horses have very limited turn-out and go on horse walkers or treadmills for their daily exercise which is no way for a horse to live. This lifestyle results in health problems such as ulcers, cellulitis, and breathing problems. It also results in mental and behavioral issues such as depression, anxiety, and aggression. They become hard to ride and an unhappy horse definitely does not hide it. Horses require turn-out, equine companionship, and a quiet daily setting to live a healthy and happy life. Due to all these hardships people are looking towards the country for boarding facilities to fill their needs.

Unfortunately, there is a lack of quality of boarding facilities to fill this need. There is only one other boarding facility of equal quality within a 10 mile radius of us and they are also full. I have clients that come from Zionsville, Lebanon, Fishers, Carmel, Westfield, Kokomo, Anderson and Tipton County. They drive all the way to Atlanta, Indiana because their horses are happy in this facility which makes them happy. The horses are having less health issues plus they have a beautiful state of the art facility to enjoy along with a beautiful indoor arena to ride in which rivals as one of the nicest in the state.

I do have one of my boarders here tonight to support this petition. She is a veterinarian and who I spoke with regarding the health and mental effects of the placement of a stable can have on a horse. Without the acceptance of this variance there will be continued void in the horse community.

Without the additional 10 lesson horses we will no longer be able to provide lessons to the public, have camps, or continue with our equestrian team which will also create a void in the horse community as well as the surrounding community.

The approval of this variance will not be injurious to the public health, safety, moral, and general welfare of this community. In fact, I believe it will be a strong asset. Our clients will stop at the local shops, buy gas, buy groceries, and stop for lunch which will only help this rural community’s economic well-being. The equestrian community also brings a certain type of participant. They are generally well-off, quiet, respectful, hardworking and of high moral statute.

If this variance is approved, the property adjacent to our facility will not be affected in a substantially adverse manner. We will continue to meticulously maintain our property, plant trees, and improve the landscaping over the years. We will also always continue to care for all animals.
that call it home to only the highest standard which will only create a more beautiful countryside for our neighbors to enjoy.

If the strict application of the requirements for the existing zoning ordinance were upheld this facility would not be able to reach its potential for the equine community which would limit us from provide for the needs of this farm. This would be completely unnecessary. We have plenty of grazing space for these horses, however, we do not rely on their grazing as a means to feed them. They are given plenty of hay and grain on a daily basis to support all of their nutritional needs.

We remove all the manure, so it is not spread on any of the fields. And we are able to supply a port-a-pottie to the facility so that our clients have a bathroom that they can use until we are able to get a commercial septic system in for them. We are a family run facility. We maintain a very high standard and we will continue to do so for many years to come.

Mr. Hall asked Ms. Snodgrass if there was any outdoor lighting for night activities. (2) Like dusk-to-dawn lights? (3) How many horses do you have there now?

Ms. Snodgrass answered, not for night activities. There are outdoor lights that light up the parking lot in the front and then one on each side of the indoor arena. (2) We just turn them on if we need them. (3) We have 23 horses there.

Mrs. Johnson asked Ms. Snodgrass if her request for 25 horses was enough.

Ms. Snodgrass answered, she thinks so.

Mr. Habig asked Ms. Snodgrass if she was familiar with the letter from soil and water about a manure management program. (2) And you’re ok to get together with soil and water for their recommendations?

Ms. Snodgrass answered, yes. (2) Absolutely.

Mr. Hall added… and the same with the health department for their concerns on the septic system?

Ms. Snodgrass answered, yes. I’ve already been talking to them.

Mr. Habig stated… I commend you for what you’ve done with that facility. It is absolutely gorgeous.

Ms. Snodgrass thanked Mr. Habig. I really love it.

Mr. Clark stated that Ms. Snodgrass had done a beautiful job of maintaining those pastures.

With no further questions from the board… Mrs. Johnson opened the hearing to the public at 7:18 p.m. and invited anyone who wished to speak for or against the petition to please step forward. I just ask that you state your name and address for the record.
Heidi Rice, of 10544 Schaffer Circle, Carmel, stated her name and address for the record. I am a veterinarian. I have lived in Hamilton County for almost seven years. We moved from the east coast, but I am a mid-westerner to begin with. I have owned horses off and on since I was eleven years old.

In Indiana I have now been at three different facilities and I can attest to the fact that Kolowa has been absolutely the best. It is a state of the art facility from footing standpoint, turn-out, stalls, care, etc. I do want to say, as a veterinarian I can attest to the fact that horses are herd animals. They do better in groups. The nice thing about many facilities is they find horses that they can turn out together and I think Kolowa does a great job with that too. I do have a horse there. He is part of what’s being called the “frat boys.” He has his little group of friends and they go out an torture each other. Horses do better with as much turn-out as possible.

We learned in veterinary school that we have kind of made it a little bit synthetic the way we house horses if they’re in the stalls 24 hours a day. The happiest horses, my professors at Michigan State University always said, were probably the bronc horses. They got to stay out 364 days a year, they got rounded up, brought in, they buck somebody off, and they got out again.

Nutrition is also very important.

The horses also do better away from residential areas, because unfortunately sometimes people don’t make the best decisions when it comes to thinking a horse is pretty and trying to get to close to a horse that might not appreciate that.

Horses getting out and running down major roads does happen. Unfortunately, a car/horse interaction is probably not going to turn out well for either one. So it is best that horses are a little farther out where they can have a little more room to roam and I think Kolowa does a good job with exactly where its situated. There’s lots of lovely open land and there’s not a lot of traffic out there from what I’ve seen so far. The stalls at Kolowa have been great. There are actually double stalls.

You mentioned soil and water… I have a unique perspective in the fact that when I graduated from Michigan State as an undergrad I worked for the Jackson County Soil and Water Conservation District. I do think there is amply opportunity to work together to make that facility ecologically sound. Thank you.

Mr. Hall asked Ms. Snodgrass what Kolowa meant. Where did you get the name?

Ms. Snodgrass stated that he likes to refer to himself as an ogre. So Kolowa is actual American Indian and means “ogre.” It’s just a prettier way of saying it.

And with no one else stepping forward to address the board… Mrs. Johnson closed the public portion of the hearing at 7:22 p.m. May I have a motion, please?

Mr. Hall moved to approve the petitioner’s request subject to a manure handling plan that is acceptable to the soil and water department and subject to the septic requirements of the
Hamilton County Health Department and subject to the business plan that was submitted by the petitioner.

Mr. Habig seconded.

Mr. Hall stated that they’re in the right place to be doing this. Anytime somebody can improve a property and make it compatible with what the plan is for the area and if we get the outstanding issues resolved it is right on target for an approval.

Mr. Clark stated that they have done an excellent job so far. It’s beautiful out there. Do we want to put any time limit on it or limit it to the property owner? (2) Long term when they sell the property or when they sell the property or anything like that. (3) Yea.

Mr. Hall stated that the way he worded it it was up to those department. Both departments said they were going to work with them on it. So as long as they’re satisfied, I see no issue. (2) You mean have it recorded or run with the land? (3) Good thinking. I so amend my motion to include that the Special Use be recorded, and it runs with the land.

Mr. Kiphart stated that it was recorded, and nobody picked up on it.

Mr. Habig seconded the amendment.

After minimal comments… Mrs. Johnson called for the vote on the amendment. 4 yes votes… 0 no votes.

With no further comments… Mrs. Johnson called for the vote to approve NBZA-S.U.-0009-06-2019 as amended. 4 yes votes… 0 no votes. Your petition is approved.

Director’s Report: Mrs. Burdett advised the board that Tracy Dean had been appointed at the last commissioners’ meeting to cover Mrs. Johnson when she was not going to be available for a BZA meeting. Sandy Eiler was your alternate, but she withdrew for family and educational reasons. We did give her some time for further education but the last time I spoke with her she still wanted to withdraw from the board. Mrs. Dean was asked to step forward and was welcomed by the board.

Mr. Hall asked about the policy for alternates. Do we ask an alternate anytime we don’t have a full body or only if we can’t meet a quorum?

Mr. Kiphart stated that normally if we know the person that the alternate is to cover is not going to be here we will call the alternate and see if they can come.

Mr. Culp stated that the way the commissioners made the alternates… each one is assigned a specific person. Only if you can’t be here and she’s available does she fill in. Otherwise no one will be here.
Legal Counsel Report: No report.

The next BZA meeting will be Wednesday, July 24, 2019.

With nothing further to come before the board... Mrs. Johnson asked for a motion to adjourn.

**Mr. Habig made a motion to adjourn.**

Mr. Clark seconded.

With no further comments... Mrs. Johnson called for the vote. 4 yes votes... 0 no votes. Meeting adjourned at 7:33 p.m.

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Kristin Johnson, Chairman

Date: ________________________

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Linda Burdett, Secretary

Date: ________________________